
Student Information...

What's Protected?

What's Not?

Patty Warnick-Wait
Office of Academic Records
Karen Stubberfield
Administration & Finance
November 1, 2007

FERPA – Family Educational Rights And Privacy Act – What Is It?

- Created to protect the privacy of Students' Educational Records (current & former).
- Affords students the right to:
 - Inspect and review their educational records;
 - Seek to amend those records;
 - Limit disclosure of information from those records;
 - File a complaint with the US Department of Education concerning alleged FERPA violations.

What Is An Educational Record?

- Any records that directly relate to a student that is maintained by the University or by a party acting for the institution. Including:
 - Handwritten documents
 - Electronic Format
 - Email
 - Film
 - CDs & Diskettes
 - Etc.

Educational Records Do Not Include:

- Sole Possession Documents
- Medical Records
- Records maintained by law enforcement units that were created for the purpose of law enforcement.
- Records relating to individuals who are employed by the University (unless employment is contingent upon student status)

What Is Directory Information?

- Information which would not generally be considered harmful to the student, or an invasion of privacy, if released.
- This information may be disclosed UNLESS the student has set his/her FERPA privacy flag.

Directory Information Includes:

- Name
 - E-mail Address
 - Photograph
 - Place of Birth
 - Previous Institution Attended
 - Major Field of Study
 - Local Address *
 - Local Telephone Number*
 - Degrees & Awards Received
 - Dates of Attendance
 - Height & Weight of Athletes
 - Participation in Officially Recognized Activities & Sports
- * **Note:** Although address & phone are directory information, Cal Poly does not provide this information to the general public.

What Is Included In Non-directory Information?

Highly Protected and Confidential Information!

- Class Schedule
- Date of Birth
- Academic Action Status
- Financial Aid Recipient
- Grade Point Average (GPA)
- Grades in Courses
- Hold Status
- Empl ID
- Social Security Number
- Residency Status
- Transcript of Academic Record
- Units Completed
- Parent, Guardian or Next of Kin
- Gender
- Ethnicity

What Does Cal Poly Consider To Be Locator Information?

- Name
- E-mail Address

- Local Address*
- Local Phone Number*

Remember: Cal Poly does not provide address and phone number to the general public. This information is not included in the University directory.

Can I Release Protected Information?

- FERPA only allows the release of educational records to NON-University officials (without written consent) under limited circumstances:
 - Valid Subpoenas
 - Search Warrants
 - Ex Parte Order (Patriot Act)
 - Emergency/Crisis Situation
- Confirmation and Verification of non-directory or protected information that is contained in educational records without written consent from the student VIOLATES FERPA.

Subpoena Sample

EXHIBIT A

All DOCUMENTS that evidence, concern, refer, or relate to the education of ^{student name} [REDACTED], DOB: [REDACTED], including but not limited to: records from former schools, Head Start eligibility and attendance records, general attendance records, absence records, confidential individual education plan reports for special education services, learning disability records, records regarding medication use at school, report cards and grades for each year, standardized test scores, disciplinary records, incident reports, teacher comments, transcripts, suspension records, alternative placement records, counseling records, and teacher evaluations.

(The terms "DOCUMENT" and "DOCUMENTS" as used in this subpoena mean any "writings" in the broadest sense defined in Section 250 of the California Evidence Code. These terms include, but are not limited to, all writings of any nature whatsoever, written, recorded or graphic, including all contracts, agreements, communications, correspondence, telegrams, memoranda, records, reports, books, summaries or records of telephone conversations, summaries or records of conversations or interviews, diaries, forecasts, statistical statements, work papers, drafts, copies, graphs, charts, accounts, analytical records, minutes or records of meetings or conferences, consultants' reports, appraisals, records, reports or summaries of negotiations, brochures, lists, journals, advertising, telegraphs, telexes, electronic mail or other electronic correspondence, electronic media and files, reports, summaries, handwritten notes, corporate resolutions, minutes and agenda of meetings, conferences or the like, transcriptions of conversations, press releases, résumé, curriculum vitae, tabulations, work papers, cost sheets, promissory notes, financial statements, sales records, tape recordings, photographs, diagrams, schematic drawings, prints, slides, movies, videos and any other pictorial representations.)

What If There Is An Emergency Or Crisis Situation?

- The University must determine that release of the Non-Directory or Protected information is necessary to protect the health or safety of the student or other individuals.
- The University must consider:
 - Severity of the threat to health and safety;
 - Actual need for the information;
 - Time required to deal with the emergency; and
 - Ability of parties to whom the information is released to deal with the emergency in another way/additional time.

NOTE: A record must be made of the disclosure and included in the student's permanent file.

How Can Students Protect Their Information?

- Set their FERPA flags through the Portal – <http://my.calpoly.edu> (Personal Info Tab, My Student Info Channel)
- Options include:
 - Protect Directory Information
 - Blocks the University from providing and verifying ANY data without the student's written consent.
 - Protect Locator Information
 - Only allows the University to verify degree and dates of attendance without written consent. All other data remains protected.

How Does A Student Set His FERPA Flag?

The screenshot shows the Cal Poly website interface. At the top left is the Cal Poly logo. To the right, a user is logged in as 'Christopher Nishida'. A navigation bar contains links for 'Main', 'Admissions', 'What's Next', 'Orientation Events', 'Money Matters', 'Housing', 'Advising', 'Registration & Enrollment', 'Personal Info', and 'Camp'. Below this, the 'My Student Info' section is highlighted, containing a list of links: 'Addresses', 'Names', 'Phone Numbers', and 'Emergency Contacts'. A 'FERPA' link is also visible at the bottom of this section. To the right, a 'Web Verify' section features a 'NEW WebVerify' graphic and a list of two primary uses: '1. Allow students to share information' and '2. Allow anyone not affiliated with Cal Poly to view student information'. Below this, text states 'You'll need to create an access code with information you provide to this information. Future employers, insurance companies, etc. will need this information to verify your identity.' and a link to 'click here'.

FERPA/Directory Restrictions

[Home](#) > [SA Self Service](#) > [Personal Portfolio](#) > [Tasks](#) > **FERPA/Directory Restrictions**

FERPA Restrictions

List FERPA/Directory Restrictions

Christopher I

The Family Educational Rights and Privacy Act (FERPA) authorizes the campus to release "Directory Information" concerning students. The campus may release this information at any time unless the campus has received notification from the student. Please review your current FERPA restrictions below. If the area below is blank then you do not have any FERPA restrictions.

"Directory Information" includes: Name, Major, Address, Photograph, Telephone, Dates of attendance, Email address, Place of birth, Degrees and awards received, Weight and height of athletic team members, Most recent previous educational institution attended, and Participation in officially recognized activities & sports. If your "Directory Information" is restricted, then all information listed above will NOT be given out unless you change your status or make your request in writing. This will block the university from providing future verifications of degree or enrollment information for you.

"Locator Information" includes: Name, Address, Email address and Telephone. If you restrict your Locator Information, then this information will not be included in the ASI Directory and any other on-line directories.

If you have questions regarding FERPA or your Information status please come to or call the Office of Academic Records, Adm 222 (805-756-2531).

To change your restrictions, click on the link "Edit FERPA/Directory Restrictions."

FERPA/Directory Restrictions

Christopher

The Family Educational Rights and Privacy Act (FERPA) authorizes the campus to release "Directory Information" concerning students. The campus may release this information at any time unless the campus has received notification from the student. Please check your current restriction status below and change as appropriate, then click on the Save button below.

"Directory Information" includes: Name, Major, Address, Photograph, Telephone, Dates of attendance, Email address, Place of birth, Degrees and awards received, Weight and height of athletic team members, Most recent previous educational institution attended, and Participation in officially recognized activities & sports. If your "Directory Information" is restricted, then all information listed above will NOT be given out unless you change your status or make your request in writing. This will block the university from providing future verifications of degree or enrollment information for you.

"Locator Information" includes: Name, Address, Email address and Telephone. If you restrict your Locator Information, then this information will not be included in the ASI Directory and any other on-line directories.

If you have questions regarding FERPA or your Information status please come to or call the Office of Academic Records, Adm 222 (805-756-2531).

[Restrict All Fields](#)

[Release All Restrictions](#)

Restriction Categories

FERPA Restrictions

[Restrict All](#)

[Release All](#)

Restrict

- Restrict all my Directory info
- Restrict my Locator Info Only

[Save](#)

[Return to FERPA Restrictions Summary](#)

In PeopleSoft, How Can I Tell If A Student Has Set His FERPA Flag?

PeopleSoft.

 Home

 Help

[Home](#) > [Build Community](#) > [Bio/Demographic Data \(Student\)](#) > [Use](#) > **Bio Demo Data**

[New Window](#)

Bio/ Demo Data

Addresses

Christopher

ID:



Personal Data

[View All](#)

First

1 of 1

Last

Effective Date: 10/16/2006

Name

Format Using: USA United States Names

Name: Christopher

Prefix:

First Name: Christopher

Middle:

Last Name:

Suffix:

Marital Status: Single

National ID

[View All](#)

First


1 of 1

Last

Primary

In PeopleSoft, How Can I Tell If A Student Has Set His FERPA Flag?

PeopleSoft®

 Home

 Help

[Home](#) > [Build Community](#) > [Bio/Demographic Data \(Student\)](#) > [Use](#) > **Bio Demo Data**

[New Window](#)

Releasable FERPA Directory Information

Christopher

EmplID:

Student has chosen the following FERPA restriction: Restrict my Locator Info Only

[Return](#)

In PolyProfile, How Can I Tell If A Student Has Set His FERPA Flag?

CAL POLY Office of Academic Records
California Polytechnic State University

Poly Profile > Search > Search Results

:: Poly Profile Search

:: POLY PROFILE SEARCH RESULTS ::

This report contains PERSONAL AND CONFIDENTIAL student data.
FERPA = FERPA Protected Student. ([What is FERPA?](#))

<u>Name</u>		<u>Primary Major</u>	<u>Class Level</u>
Christopher	30 (FERPA)	Computer Engineering	Freshman

Found 1 matching person.

This report contains PERSONAL AND CONFIDENTIAL student data.

The data contained in this report is the property of California Polytechnic State University, San Luis Obispo (Cal Poly) and may not be shared without the express consent of the student.

By viewing this report, the user acknowledges the sensitive and private nature of the data contained in this report and agrees to abide by Cal Poly's Security and Confidentiality Policy. Without written student authorization, this data may only be used for official university business.

The report is intended for the requested purposes only.

Cal Poly Home | Cal Poly Find It

Powered by PolyData

Last Update: October 19, 2007

Office of Academic Records
California Polytechnic State University
San Luis Obispo, CA 93407
evaluations@calpoly.edu

In PolyProfile, How Can I Tell If A Student Has Set His FERPA Flag?

CALPOLY Office of Academic Records
California Polytechnic State University

Poly Profile > Search > Search Results > Display

:: POLY PROFILE ::

This report contains PERSONAL AND CONFIDENTIAL student data.

,CHRISTOPHER

**** FERPA PROTECTED STUDENT **** ([What is FERPA?](#))

Campus ID:
Empl ID:

CONTACT INFORMATION

Preferred Phone:	(Main)	
Mail Address	Univ. Housing Address	Home Address
United States	01 Grand Avenue San Luis Obispo, CA 93410-2000 United States	United States

In Poly Profile, What Would I See If The Student Does Not Have His FERPA Flag Set?

CAL POLY Office of Academic Records
California Polytechnic State University

Poly Profile > Search > Search Results

:: Poly Profile Search

:: POLY PROFILE SEARCH RESULTS ::

[This report contains PERSONAL AND CONFIDENTIAL student data.](#)
FERPA = FERPA Protected Student. ([What is FERPA?](#))

<u>Name</u>	<u>Primary Major</u>	<u>Class Level</u>
Christopher	Computer Engineering	Freshman

Found 1 matching person.

[This report contains PERSONAL AND CONFIDENTIAL student data.](#)

The data contained in this report is the property of California Polytechnic State University, San Luis Obispo (Cal Poly) and may not be shared without the express consent of the student.

By viewing this report, the user acknowledges the sensitive and private nature of the data contained in this report and agrees to abide by Cal Poly's Security and Confidentiality Policy. Without written student authorization, this data may only be used for official university business.

The report is intended for the requested purposes only.

Cal Poly Home | Cal Poly Find It

Powered by PolyData

Last Update: October 18, 2007

Office of Academic Records
California Polytechnic State University
San Luis Obispo, CA 93407
evaluations@calpoly.edu

What Are Some Guidelines Instructors Should Follow?

- Take roll by using First Name and Last Initial or circulate a sign in sheet – Let students know that they can come to you after class if they do not wish to list their names on that sheet.
- Blackboard is the safest form of communication when it comes to grades.
- Assign a random number to students and post grades and return papers using only those numbers.
- Have students provide an envelope with their name on it. Leave that envelope in a box for pick up.

Instructor Guidelines, Continued (2)

- Return papers by folding and stapling closed. Write students' names on the outside.
- Tell students on the first day if there are projects that will require public display/posting. Include this information in your syllabus.

Remember...

- Do not circulate the class roster in your classroom.
 - Name, SSN, and Empl ID are personally identifiable student information and should not be available to other students. Students may also have their name protected.
- Do not post grades using Name, SSN, or Empl ID.
 - SSN, Empl ID, and grades are protected student information and may not be posted.
 - Grades are highly sensitive data and are not Directory Information; therefore they should not be provided to anyone but the student.
 - Grades are available to students on the Portal the day after grade rosters are due from faculty.
- Do not leave graded papers unattended or where they can be picked up by someone other than the student if any personally identifiable information is present.

Can I Give References And Letters Of Recommendation For My Students?

- You can give references for students without permission if
 - the information given is based strictly on your “observation of the student and without any reliance on educational record information”, or
 - the recommendation is directed to another educational institution – it can then include relevant educational record information.
- However, if any educational record information is requested / provided to a non-educational institution, the student must sign a release detailing what you can provide.
- A “Departmental FERPA Release” form can be found at: http://www.security.calpoly.edu/what_employees/index.html

What Are Some Guidelines For Departments And Staff?

- When assisting students:
 - Ask the student for his/her ID card or to enter his/her “ID number” into a keypad.
 - Asking for “ID number” will allow the student to offer SSN or EmplID, whichever he/she is most comfortable with.
 - Do not ask the student to state this information out loud if others can hear.
- Before discussing confidential information, be sure to ask for a photo ID for verification.

Department Guidelines, Continued (2)

- When students call and ask for their grades, direct them to the Portal, Registration and Enrollment tab.
 - Do not provide student grades over the telephone.
 - It is difficult to confirm that you are speaking to the student whose grades are being requested. Grades are sensitive data and are not Directory Information; therefore they should not be provided to anyone but the student.
- Do not post or give out student class schedules.
 - Class schedules are not Directory Information and are not available to other students or anyone other than School Officials who have a legitimate need to know.

Department Guidelines, Continued (3)

- When posting Dean's Lists, be sure to honor a student's FERPA setting. Students who have protected their Directory Information should not be posted without the student's written consent.
 - Awards received are part of Directory Information.
 - A personal letter from the department/dean to any student is acceptable.
- Student information should never be shared with individuals who have no educational need to know. (Example: Commenting on a student's grades at a social gathering.)
 - Remember, you have access to student information because you are a "School Official" with a "legitimate educational interest." You are responsible for using student information appropriately.

Department Guidelines, Continued (4)

- Student information should not be shared with a student's parents without his/her consent.
 - All students enrolled at Cal Poly are considered to be adults, regardless of their age.
 - Parents do not have a right to information regarding grades, academic standing, etc.
 - IF a Department or Instructor elects to, a student may be given a “Departmental FERPA Release” Form allowing a designated person to receive specific information. This form can be found at:
http://www.security.calpoly.edu/what_employees/index.html

Department Guidelines, Continued (5)

- Verification requests for Degrees and Enrollment Status should be completed by the Office of Academic Records.
 - If the student has not protected Directory Information, this information can be verified without a signature. Please refer those calls to the Office of Academic Records at 805-756-2531.
- Don't give out or verify a student's address or phone number.
 - Although this information is considered Directory Information under FERPA, Cal Poly only releases address and phone number to university related entities (ie. Cal Poly Corporation, Clubs, etc.) for the student's privacy and protection.

What About FERPA And Email Communications?

- Email communications to students are considered part of the students' educational records if they are "maintained".
- Use caution when communicating with a group of students. Use an alias or make sure the recipient names are placed on the "bcc" line.
- Remember to respect the students' FERPA settings.

How Do I Obtain A List Of My Students And Their FERPA Settings?

- Brio Query

<http://www.polydata.calpoly.edu/>

Be sure to refresh your data each time it is used.

- Ad Hoc Data Request Form*

<http://www.forms.calpoly.edu/ITSforms.html>

* Important: Ad Hoc Queries are only approved for the purpose in which they were requested. Please do not share lists or retain lists for future use.

What About Student Assistants?

Are They Treated Differently?

- Student Assistants' employment records are protected under FERPA if the employment is contingent upon being a student.
- References can be given, but again, they must follow the rules previously outlined for Faculty (slide 24).
- Student Assistants must be made aware of FERPA and are required to sign a confidentiality agreement, just like all other employees.
 - Confidentiality-Security Agreements for Student Employees and a **Responsible Use Form** can be found at:
http://www.security.calpoly.edu/what_employees/conf_sec_agree_student.htm

What About Records Of A Deceased Student?

- FERPA rights expire when the student is deceased.
- However, Cal Poly's Policy is to protect educational records for deceased students – indefinitely.
 - Only a Parent or the Executor of the Estate can obtain copies of confidential information.
- When sending communications, be sure to use an up-to-date mailing/distribution list – excluding deceased students!

Where Can I Find Additional FERPA Materials?

- OAR Informational Guide
- OAR Website – http://www.ess.calpoly.edu/records/stu_info/ferpa_policy.htm
- Information Security Website – http://www.security.calpoly.edu/what_employees/index.html
- Annual Student E-mail
- Annual Faculty and Staff Mailing
- DOE Website – <http://www.ed.gov/offices/OM/fpco>

And If I Have Further Questions???

- Refer to materials mentioned on the previous slide.
- Contact the Office of Academic Records at 756-2532.
- Contact Patty Warnick-Wait at 756-2723.